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BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Policies and Rules Concerning)
Children's Television Programming)
)
Revision of Programming Policies)
for Television Broadcast Stations)

MM Docket No. 93-48

To: The Commission

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COMMENTS OF CHANNEL 6, INC.

Channel 6, Inc. ("Channel 6"), licensee of television station KCEN(TV), Temple, Texas, by and through its undersigned attorneys, hereby submits its comments in the above-captioned proceeding. Specifically, Channel 6 will address the issue of what treatment should be given to broadcasters' sponsorship of children's television programs aired on stations other than their own.

Introduction

1. KCEN(TV) was the first television station in the Waco-Temple-Bryan, Texas television market beginning its on-air operations in 1953. KCEN(TV) remains the only television station licensed to the community of Temple, Texas.^{1/}

2. For most of its existence, the Waco-Temple-Bryan television viewing area has received only two network signals. In 1955, KCEN(TV), an NBC affiliate, was joined by a CBS

^{1/} Television and Cable Factbook, Vol. 63 (Warren Publishing 1995) at A-1127.

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affiliate, KWTX-TV, Waco, Texas^{2/} and in 1957, by an affiliate of KWTX(TV), also a CBS station, KBTX-TV, Bryan, Texas.^{3/}

3. In the mid-1980's, however, the market began to change rapidly. In 1985, KXXV(TV), Waco, Texas, an ABC affiliate entered the market.^{4/} KWKT(TV), Waco, Texas, a Fox affiliate, quickly followed in 1988.^{5/} Finally, KYLE(TV), Bryan, Texas, an independent station, went on the air in 1994.^{6/}

4. In addition, the market, which had been served by two public television stations, KAMU(TV), Bryan, Texas, operated by Texas A&M University, since 1970,^{7/} and KNCT(TV), Belton, Texas, operated by Central Texas College, also since 1970,^{8/} gained a third public television station, KCTF(TV), Waco, Texas in 1989.^{9/}

5. Thus, in the decade between 1980 and 1990, the number of different television signals in the market largely doubled. During the same period, however, the population in the cities of Bryan, Temple and Waco, increased by a combined total of only 16,400 people, or approximately 35%.^{10/} This growth in the number of stations in the market and the diversity of

^{2/} Id. at A-1125.

^{3/} Id. at A-1048.

^{4/} Id. at A-1126.

^{5/} Id. at A-1124.

^{6/} Id. at A-1049.

^{7/} Id. at A-1332.

^{8/} Id.

^{9/} Id. at A-1336.

^{10/} Specifically, the population of Waco, Texas increased by 2,328 people, or 2.3%. The
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broadcast programming offered has led to the fractionalization of the market.

6. In the area of children's programming, KCEN(TV), as an NBC affiliate, provides a significant amount of children's programming. This programming is geared largely towards an audience of teens, 13 to 16 year olds, and 'tweens, 11 and 12 year olds.

7. For younger viewers, KCEN(TV) does not believe that at this time it has the expertise to produce a high-quality, educational program appealing to the 2 to 12 audience. This is particularly true in the face of the greatly increased program choices the viewers in this market now have.

8. Nevertheless, consistent with its duty under the Children's Television Act of 1990 to apprise itself of the needs of the children in its viewing area and of the program offerings of the other media in its market, see Notice of Proposed Rulemaking, 5 FCC Rcd 7199, 7200 (1990), KCEN(TV) believes that the younger viewers of the Waco-Temple-Bryan market would benefit from additional educational programs. Likewise, based on its experience in the market, KCEN(TV) is aware of the considerable expertise and success the public television stations have had with this age group as well as the considerable budgetary restrictions which threaten the continuation of such children's programming on the public station in this market.

9. Accordingly, KCEN(TV) has entered into a partnership with its local public television station to sponsor some of the local public television station's educational children's programs. KCEN(TV) provides funding for "Lamb Chop," which airs Monday through Friday, and for "Ghostwriter," which airs on the weekend. As the Commission considers in this

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population of Temple, Texas increased by 3,626 people, or 8.5%. The population of Bryan, Texas increased by 10,665 people, or 24.1%. 1993 County and City Extra. Annual Metro, City and County Data Book, Slater & Hall (ed.) (1993).

proceeding whether and how to more clearly define a broadcaster's obligations under the Children's Television Act, KCEN(TV) submits that its sponsorship of educational television programs on another station should be defined as meeting that obligation as fully as if the program aired on the broadcaster's own station.

Argument

10. The sponsorship of programming on other stations was specifically established by Congress as a positive means by which the broadcaster contributes to its community and fulfills its obligations under the Children's Television Act of 1990. See 47 U.S.C. 303b(b)(2).

11. Sponsorship of programming on other stations achieves the Commission's objective of increasing the amount of educational and informational programming available to children in the viewing public, particularly that which is available at no cost.

12. Sponsorship of children's programming on other stations also benefits the public by allowing stations to pool scarce financial resources and programming expertise to provide the community with higher quality educational programs. As KCEN(TV) believes is the case in its circumstances, these programs would likely have a greater chance of appealing to children and thereby of achieving the goal of teaching children, than programs produced by stations independently which lack sufficient financial support or children's programming expertise to have the necessary appeal.

13. Sponsorship of public television programming in particular assures that high-quality children's programming, produced by experts in the field of children's educational programming remains available in all communities despite federal cut-backs and other budgetary restraints.

14. While KCEN(TV) believes that it will always air a sufficient amount of educational and informational children's programming from network and syndicated sources to meet any processing guideline or standard established in this proceeding, KCEN(TV) believes that its sponsorship of a local public station's children's programming deserves credit toward the guideline or standard equal to that of any educational or informational program actually aired over the facilities of KCEN(TV).

Conclusion

WHEREFORE, for all the foregoing reasons, Channel 6, Inc., licensee of KCEN(TV), Temple, Texas, respectfully submits that the Commission, in adopting any quantitative guideline or standard for children's television, should allow broadcasters credit for programming they sponsor which is aired over the facilities of another station as if the program had on the broadcasters' own stations.

Respectfully submitted,

CHANNEL 6, INC.

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